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8 **BEFORE THE**  
9 **STRUCTURAL PEST CONTROL BOARD**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2014-53

13 **FINLEY TERMITE & PEST CONTROL,**  
14 **CHRISTINA STROUD, GREGORY**  
15 **LINDEN WALLIS**  
16 **4219 Shadowcrest Drive**  
17 **Santa Maria, CA 93455**  
18 **Company Registration Certificate No. PR**  
19 **5565,**

**DEFAULT DECISION AND ORDER**

[Gov. Code, §11520]

20 and

21 **GREGORY LINDEN WALLIS**  
22 **2246 Signal Avenue**  
23 **Santa Maria, CA 93458**  
24 **Operator's License No. OPR 10654**

25 Respondents.

26 **FINDINGS OF FACT**

27 1. On or about April 22, 2014, Complainant Susan Saylor, in her official capacity as the  
28 Registrar/Executive Officer of the Structural Pest Control Board, Department of Consumer  
Affairs, filed Accusation No. 2014-53 against Finley Termite & Pest Control, Christina Stroud,  
Gregory Linden Wallis, (Respondent Finley Termite & Pest Control) and Gregory Linden Wallis  
(Respondent Wallis) before the Structural Pest Control Board. (Accusation attached as Exhibit  
A.)

1           2.     On or about April 4, 2008, the Structural Pest Control Board issued Company  
2     Registration Certificate No. PR 5565 to Respondent Finley Termite & Pest Control. The  
3     Company Registration Certificate was suspended on December 17, 2013, and has not been  
4     reinstated.

5           3.     On or about November 19, 2002, 2008, the Structural Pest Control Board (Board)  
6     issued Operator's License No. OPR 10654 to Respondent Wallis. The Operator's License  
7     expired on June 30, 2014, and has not been renewed.

8           4.     On or about May 12, 2014, Respondent Finley Termite & Pest Control was served by  
9     Certified and First Class Mail copies of the Accusation No. 2014-53, Statement to Respondent,  
10    Notice of Defense, Request for Discovery, and Discovery Statutes (Government Code sections  
11    11507.5, 11507.6, and 11507.7) at Respondent's address of record which, pursuant to Business  
12    and Professions Code section 136, is required to be reported and maintained with the Board.

13    Respondent's address of record was and is:

14    4219 Shadowcrest Drive  
15    Santa Maria, CA 93455.

16           5.     Service of the Accusation was effective as a matter of law under the provisions of  
17    Government Code section 11505, subdivision (c) and/or Business & Professions Code section  
18    124.

19           6.     On or about May 20, 2014, the aforementioned documents were returned by the U.S.  
20    Postal Service marked "Return to Sender, Attempted – Not Known, Unable to Forward." The  
21    address on the documents was the same as the address on file with the Board. Respondent Finley  
22    Termite & Pest Control failed to maintain an updated address with the Board and the Board has  
23    made attempts to serve the Respondent Finley Termite & Pest Control at the address on file.  
24    Respondent Finley Termite & Pest Control has not made itself available for service and therefore,  
25    has not availed itself of its right to file a notice of defense and appear at hearing.

26           7.     On or about May 12, 2014, Respondent Wallis was served by Certified and First  
27    Class Mail copies of the Accusation No. 2014-53, Statement to Respondent, Notice of Defense,  
28    Request for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6,

1 Code section 136, is required to be reported and maintained with the Board. Respondent's  
2 address of record was and is:

3 4219 Shadowcrest Drive  
4 Santa Maria, CA 93455.

5 8. Service of the Accusation was effective as a matter of law under the provisions of  
6 Government Code section 11505, subdivision (c) and/or Business & Professions Code section  
7 124.

8 9. On or about May 20, 2014, the aforementioned documents were returned by the U.S.  
9 Postal Service marked "Return to Sender, Attempted – Not Known, Unable to Forward." The  
10 address on the documents was the same as the address on file with the Board. Respondent Wallis  
11 failed to maintain an updated address with the Board and the Board has made attempts to serve  
12 the Respondent Wallis at the address on file. Respondent Wallis has not made itself available for  
13 service and therefore, has not availed itself of its right to file a notice of defense and appear at  
14 hearing.

15 10. On or about May 12, 2014, Respondent Wallis was served by Certified and First  
16 Class Mail copies of the Accusation No. 2014-53, Statement to Respondent, Notice of Defense,  
17 Request for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6,  
18 and 11507.7) at an additional address on file with the Board which was and is:

19 2246 Signal Avenue  
20 Santa Maria, CA 93458.

21 11. Service of the Accusation was effective as a matter of law under the provisions of  
22 Government Code section 11505, subdivision (c) and/or Business & Professions Code section  
23 124.

24 12. Government Code section 11506 states, in pertinent part:

25 (c) The respondent shall be entitled to a hearing on the merits if the respondent  
26 files a notice of defense, and the notice shall be deemed a specific denial of all parts  
27 of the accusation not expressly admitted. Failure to file a notice of defense shall  
28 constitute a waiver of respondent's right to a hearing, but the agency in its discretion  
may nevertheless grant a hearing.

1 13. Respondents failed to file a Notice of Defense within 15 days after service upon them  
2 of the Accusation, and therefore waived their right to a hearing on the merits of Accusation No.  
3 2014-53.

4 14. California Government Code section 11520 states, in pertinent part:

5 (a) If the respondent either fails to file a notice of defense or to appear at the  
6 hearing, the agency may take action based upon the respondent's express admissions  
7 or upon other evidence and affidavits may be used as evidence without any notice to  
8 respondent.

9 15. Pursuant to its authority under Government Code section 11520, the Board finds  
10 Respondents are in default. The Board will take action without further hearing and, based on the  
11 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as  
12 taking official notice of all the investigatory reports, exhibits and statements contained therein on  
13 file at the Board's offices regarding the allegations contained in Accusation No. 2014-53, finds  
14 that the charges and allegations in Accusation No. 2014-53, are separately and severally, found to  
15 be true and correct by clear and convincing evidence.

16 16. Taking official notice of its own internal records, pursuant to Business and  
17 Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation  
18 and Enforcement is \$2,045.00 as of August 6, 2014.

#### 18 DETERMINATION OF ISSUES

19 1. Based on the foregoing findings of fact, Respondent Finley Termite & Pest Control,  
20 Christina Stroud, Gregory Linden Wallis has subjected its Company Registration Certificate No.  
21 PR 5565 to discipline.

22 1. Based on the foregoing findings of fact, Respondent Gregory Linden Wallis has  
23 subjected his Operator's License No. OPR 10654 to discipline.

24 2. The agency has jurisdiction to adjudicate this case by default.

25 3. The Structural Pest Control Board is authorized to revoke Respondent Finley Termite  
26 & Pest Control, Christian Stroud, Gregory Linden Wallis's Company Registration Certificate and  
27 respondent Gregory Linden Wallis's Operator's License based upon the following violations  
28

1 alleged in the Accusation which are supported by the evidence contained in the Default Decision  
2 Evidence Packet in this case.:

3 a. Respondents are subject to disciplinary action under Business and Professions Code  
4 section 8516, subdivision (b), in that they failed to report wood destroying organisms to the Board  
5 as required.

6 b. Respondent's are subject to disciplinary action under Business and Professions Code  
7 section 8518 in that they failed to file notices of work completed.

8 c. Respondents are subject to disciplinary action under California Code of Regulations,  
9 title 16, section 1920, in that they failed to comply with a citation's order of abatement and pay a  
10 required fine.

11 ORDER

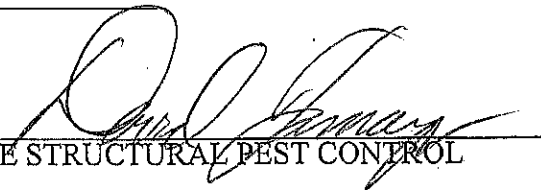
12 IT IS SO ORDERED that Company Registration Certificate No. PR 5565, heretofore issued  
13 to Respondent Finley Termite & Pest Control, Christina Stroud, Gregory Linden Wallis, is  
14 revoked.

15 IT IS FURTHER ORDERED that Operator's License No. OPR 10654, heretofore issued to  
16 Respondent Gregory Linden Wallis, is revoked.

17 Pursuant to Government Code section 11520, subdivision (c), Respondents may serve a  
18 written motion requesting that the Decision be vacated and stating the grounds relied on within  
19 seven (7) days after service of the Decision on Respondents. The agency in its discretion may  
20 vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

21 This Decision shall become effective on October 30, 2014.

22 It is so ORDERED October 1, 2014

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24   
25 FOR THE STRUCTURAL PEST CONTROL  
26 BOARD  
27 DEPARTMENT OF CONSUMER AFFAIRS

28 51572456.DOC  
DOJ Matter ID:LA2014511374

Exhibit A: Accusation